

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ERIC RODRIGUEZ,

Plaintiff,

v.

TIMOTHY HAINES, *et al.*

Defendants.

ORDER

Case No. 14-cv-86-wmc

Plaintiff Eric Rodriguez, a prisoner incarcerated at the Waupun Correctional Institution in Waupun, Wisconsin, has filed a proposed civil complaint, but has neither paid the filing fee nor requested leave to proceed without prepayment. For this case to proceed, plaintiff must pay the \$400 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than April 2, 2014.

A motion for leave to proceed without prepayment of the filing fee must be accompanied by a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the date of the complaint. 28 U.S.C. § 1915(a)(2). If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Eric Rodriguez may have until April 2, 2014 to submit the \$400 filing fee or a motion for leave to proceed without prepayment and a trust fund

account statement for the period beginning approximately August 20, 2013 and ending approximately February 20, 2014. If, by April 2, 2014, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 11th day of March, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge